

Sample

Mark-to-Market OMHAR to Owner re: Administrative Review Decision

Form 6.7

From: OMHAR Headquarters, Reviewing Official
To: Owner
Transmission: Overnight Hard Copy - With Evidence of Receipt
Date: _____
Project Name: _____
FHA Number: _____ REMS ID Number _____
Section 8 HAP Contract Number: _____

Dear (Owner):

This letter is to inform you of the decision of the Reviewing Official on your request for an Administrative Review of the Final Decision of the OMHAR Regional Office regarding the restructuring of the subject property.

[use the appropriate paragraph]

[Restructuring Commitment Appeals]

The Administrative Review affirms the Final Decision. You have 10 business days to execute and return to the PAE the Restructuring Commitment previously provided. If you do not execute and return the Restructuring Commitment, you will be provided with a new Section 8 Contract for Potentially Troubled projects, which will reduce rents to market without the benefit of debt restructuring. This new Contract will take effect at the expiration of your current Section 8 Contract or Contract extension.

OR

The Administrative Review modifies the Final Decision as follows:

A revised Restructuring Commitment will be sent to you by the PAE reflecting the above modifications. You will have 10 business days to execute and return this revised Restructuring Commitment to the PAE. If you do not execute the Restructuring Commitment, you will be provided with a new Section 8 Contract for Potentially Troubled projects, which will reduce rents to market without the benefit of debt restructuring. This new Contract will take effect at the expiration of your current Section 8 Contract or Contract extension.

[Rejection Appeals - Final Decision Affirmed]

[For projects that will receive project-based Section 8 assistance] The Administrative Review affirms the Final Decision. Rents must now be reduced to market upon expiration of your current Section 8 Contract. In order to assure continued Section 8 payments, please execute the Section 8 Contract for Potentially Troubled projects and the Rent Reduction Certification previously provided and forward it to the HUD Hub/Program Center with a copy to the PAE.

OR

[For projects that will receive tenant-based Section 8 assistance] The Administrative Review affirms the Final Decision. The HUD Hub/Program Center will contact you concerning the conversion to tenant-based assistance.

[Rejection Appeals - Final Decision Modified]

[Provide detailed instructions to the Owner and PAE on how to proceed with the Restructuring process.]

This constitutes a Final Determination for the purposes of section 516(c) of MAHRA and is not subject to judicial review.

Please contact the PAE or HUD Multifamily Hub or Program Center Director at **(office name and phone number)** for further information.

Sincerely,

(OMHAR Reviewing Official)

cc: OMHAR Regional Office
PAE
HUD Multifamily Hub or Program Center